

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

THE LEUKEMIA & LYMPHOMA
SOCIETY, INC.

Plaintiff,

v.

THE WALTER AND ELIZA HALL
INSTITUTE OF MEDICAL RESEARCH,

Defendant.

Case No. 22-CV-10690-NRB

**JOINT MOTION TO SEAL
AMENDED COMPLAINT**

Pursuant to the Stipulated Protective Order dated August 10, 2023 (the “Protective Order”), the rules and procedures of the U.S. District Court for the Southern District of New York, and Section 2 (H) of the Individual Practices of Judge Buchwald, Plaintiff The Leukemia & Lymphoma Society (“LLS”) and Defendant The Walter and Eliza Hall Institute of Medical Research (“WEHI”) respectfully request that the Court permit LLS to file its Amended Complaint under seal. *See* Dkt. 36, Protective Order, ¶ 2(a). As contemplated by the Protective Order, LLS will file a redacted version of its Amended Complaint on the public docket that redacts references or quotes to certain documents or testimony designated as Confidential and for use only in the arbitration under the confidentiality order issued in the prior arbitration proceeding between the parties, but which the parties have now agreed may be used in this case for purposes of LLS’s amended complaint and WEHI’s responses thereto, so long as the information is filed under seal as confidential. *See* Protective Order, ¶¶ 1, 2.

For these reasons, and as set forth in the Protective Order, the Parties respectfully request that the redacted material be maintained by this Court under seal.

Dated: August 17, 2023

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The motion is granted subject to modification should the Court determine as the litigation proceeds that the interests articulated in the motion are outweighed by the public's presumption of access to judicial documents. See Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110, 119 (2d Cir. 2006).

SO ORDERED.



NAOMI REICE BUCHWALD

UNITED STATES DISTRICT JUDGE

Dated: August 24, 2023
New York, NY